THE HON'BLE SRI JUSTICE P.S.NARAYANA

Writ Petition No.15369 of 2007

Date: 27th November, 2007

Between :-

The Krishnaveni Sand Supply Lorry Owners
Welfare Association, Regd.No.364/2006,
Door No.27-38-1/2, Gopalakrishnaiah Street,
Governorpeta, Vijayawada,
Rep.by its President .. Petitioner

And

The Government of Andhra Pradesh,
Department of Mines and Geology,
Secretariat Building, Hyderabad
Rep.by its Chief Secretary and another ..
Respondents

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ORDER:-

Heard the Counsel.

2. This Court issued *rule nisi* on 11-9-2007.

3. The Writ Petition is filed for a Writ of Mandamus declaring the order ot2nd respondent dated 16-5-2007 made in ROC.No.626/2001 P-3 as without jurisdiction, arbitrary, illegal, non-applicable ofmind to the relevant facts, against the Rules made by the 1st respondent in

G.O.Ms.No.24 I&C (MI) Department, dated 12-2-2007,A.P.Minor Mineral Concession Rules, 1966 and consequently direct the 2nd respondent to transfer the file relating to the impugned order to the 1st respondent or its subordinates in the interest of justice and pass such other suitable orders.

4. It is brought to the notice of this Court that in the light of the facts and circumstances, the 2nd respondent to transfer the files relating to the impugned order to the 1st respondent in view of the fact that the 1st respondent is competent Department to delay with the said case. The Counsel representing respondents also would submit that at present the 1st respondent alone is the competent Department to deal with the said case. In view of the same, let the 2nd respondent transfer the files relating to the impugned order to the 1st respondent which is the competent Department to deal with the case in accordance with law. It is needless to say that the impugned order is without jurisdiction and the same is hereby quashed and accordingly the relevant files to be transferred to the 1st respondent Department say that the matter may be dealt with in accordance with law. The Writ Petition is allowed to the extent indicated above. No order

as to costs.

Justice P.S.Narayana

27th November, 2007

smr